

**Attachment 2**



**SAN LUIS OBISPO COUNTY HEALTH AGENCY**

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***Jeff Hamm***  
***Health Agency Director***

**TO:** Presiding Judge LaBarbera, San Luis Obispo Superior Court

**FROM:** Jeff Hamm, Health Agency Director  
Penny Borenstein, MD, MPH, Health Officer  
Curt Batson, Director of Environmental Health

**DATE:** August 21, 2012

**SUBJECT:** Departmental Response to the 2011-12 Grand Jury Report "Regulation of Marijuana Services"

The Grand Jury requested that the Health Agency/Public Health Department respond to findings 8 and 10 and to recommendation 6.

**Findings**

8. Medical marijuana, including edibles, is not regulated by the County Health Department.

Response:

The respondent agrees with the finding.

10. The County Health Department is designated to administer the medical marijuana ID program and it satisfies the requirements set forth in Proposition 215 and SB 420.

Response:

The respondent agrees with the finding.

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### **Recommendations**

6. The County Health Department should consider establishing standards for edible medical marijuana sold in the county.

#### Response:

This recommendation will not be implemented because it is not warranted or is not reasonable.

The Department is of the opinion that the most appropriate approach to this matter of public policy is a State statute. A single set of operating statutes and related regulations would provide for consistent and effective public protection. In the absence of a statewide effort, the potential exists for different sets of regulations in each of the 58 counties throughout California. Further, in the absence of a statewide regulatory structure, each of the cities within each of the counties would be required to develop its own set of municipal regulations. There would be no guarantee that each of our seven cities would be willing to adopt regulations or that if they did, those adopted by our seven cities would be consistent with those adopted by the County. For those reasons staff recommends against the development of local standards and regulations, and recommends instead that efforts be directed at advocating for a statewide solution to this problem.